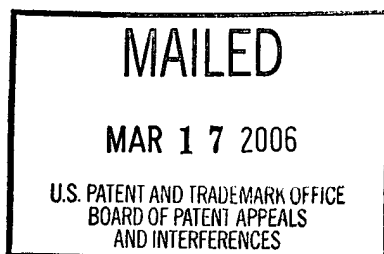


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES



Ex parte AVI ASHKENAZI, LUC DESNOYERS
DAN L. EATON, NAPOLEONE FERRARA
ELLEN FILVAROFF, SHERMAN FONG
WEI-QIANG GAO, HANSPETER GERBER
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JAMES PAN, NICHOLAS F. PAONI
MARGARET ANN ROY, TIMOTHY A STEWART
DANIEL TUMAS, P. MICKEY WILLIAMS
and WILLIAM I. WOOD

Application No. 09/904,485

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received at the Board of Patent Appeals and Interferences on March 9, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

Application No. 09/904,485

A review of the file indicates that the 2nd or subsequent Examiner's Answer mailed, March 7, 2006, has not been scanned into the Image File Wrapper (IFW). This paper needs to be scanned into the IFW and the case should be held for the two-month response period. However, if there is no 2nd or subsequent Examiner's Answer, this entry should be corrected in the PALM System.

A review of the application indicates that the following heading is missing from the Appeal Brief of August 5, 2005:

"Related proceedings appendix", as set forth in 37 CFR § 41.37(c)(1)(x).

Accordingly, it is

ORDERED that the application is returned to the Examiner to 1) have the March 7, 2006 2nd or subsequent Examiner's Answer scanned into the IFW; 2) for applicant to file a substitute Appeal Brief in compliance with 37 CFR § 41.37 or a statement submitted by the examiner regarding the position taken on the missing appendix; and 3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By:



DALE M. SHAW

Program and Resource Administrator
(571) 272-9797

DMS/eld

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